

P-999/CI-89-477 APPROVING SETTLEMENT AGREEMENT AND ALLOWING TIME  
EXTENSION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Darrel L. Peterson	Chair
Cynthia A. Kitlinski	Commissioner
Norma McKanna	Commissioner
Robert J. O'Keefe	Commissioner
Patrice Vick	Commissioner

In the Matter of a Petition from the Residential Utilities Division of the Office of the Attorney General for an Investigation into the Restriction of Access to Information Services

ISSUE DATE: September 13, 1990  
DOCKET NO. P-999/CI-89-477

ORDER APPROVING SETTLEMENT  
AGREEMENT AND ALLOWING TIME  
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PROCEDURAL HISTORY

On June 28, 1989, the Residential Utilities Division of the Office of the Attorney General (RUD-OAG) filed a petition requesting the Commission to investigate the restriction of access to interstate telephone information services. Interstate information services reached through "900" lines have come under criticism because of the possibility of inappropriate use by minors and other vulnerable persons. In its petition, the RUD-OAG urged the Commission to require telephone companies to offer a "900" blocking option to their customers.

On October 23, 1989, the Commission issued its ORDER INITIATING INVESTIGATION AND ORDER TO SHOW CAUSE in the current docket.

On March 19, 1990, the Commission issued its ORDER APPROVING TERMS FOR DISMISSAL AND DISMISSING NORTHWESTERN BELL TELEPHONE COMPANY FROM THE INVESTIGATION AND REQUIRING THE OFFICE OF THE ATTORNEY GENERAL TO REPORT ON THE STATUS OF ITS OTHER RELATED NEGOTIATIONS, also in the present docket. In that Order the Commission approved a settlement agreement between RUD-OAG and Northwestern Bell Telephone Company (NWB). Under the terms of the agreement, NWB agreed to provide blocking at no charge where technically feasible, to offer blocking to all customers as it becomes technically feasible, to inform all customers of complaint procedures regarding information services, to refrain from disconnecting local service for nonpayment of interstate information services charges, and to assign the costs of blocking to the local switching rate element (LS2) of its Minnesota access service tariff.

On May 14, 1990, the Commission issued its ORDER APPROVING AND ADOPTING SETTLEMENTS, REQUIRING STATUS REPORT, AND CLOSING DOCKET in this docket.

The Commission approved the proposed settlements of Contel of Minnesota, Inc. (Contel), Centel Telephone Company of Minnesota (Centel), and United Telephone Company of Minnesota (United). The Commission indicated that it would continue to look to the agreement reached in the NWB settlement as the standard against which proposed agreements would be measured. The Commission also required the RUD-OAG to report within 30 days on ongoing negotiations with the remaining local exchange carriers.

On June 13, 1990, the RUD-OAG filed a report indicating that it was close to a settlement on the blocking option with Minnesota Independent Coalition (MIC). The RUD-OAG also stated that it had begun negotiating with Mankato Citizens Telephone Company (MCTC).

On July 11, 1990, the RUD-OAG submitted for Commission approval a settlement agreement between MCTC and itself.

On August 13, 1990 the RUD-OAG filed a proposed settlement agreement between itself and MIC.

On August 23, 1990, the Commission approved the agreement between the RUD-OAG and MCTC regarding optional blocking of interstate information services.

On September 4, 1990, the Commission met to consider the proposed settlement agreement between the RUD-OAG and MIC.

## FINDINGS AND CONCLUSIONS

### **The Settlement Agreement between RUD-OAG and MIC**

MIC is subscribing to this agreement on behalf of its members who are independent local exchange companies (ILECs). The Commission finds that the proposed RUD-OAG/MIC agreement for optional "900" blocking is an appropriate means of protection for the customers of MIC's members. However, two amendments to the agreement are appropriate and will be required. First, to increase the similarity between this agreement and previous agreements approved by the Commission on this subject, the agreement will be amended to require that MIC members include in their tariffs language that indicates local service will not be disconnected due to disputed 900 service charges. Second, to correct an apparent error in the submitted document, the customer notice provided for in the agreement will be revised to delete reference to "US West" and, instead, include the name of the MIC company. With these two amendments, the terms of the proposed agreement are in substantial conformity with previous settlements approved for NWB, Contel, United, Centel and MCTC and the Commission will approve it.

### **RUD-OAG Negotiations with Remaining Independent Local Exchange Companies (ILECs)**

All the ILECs that are MIC members are bound to abide by the terms of this current agreement and

Commission Order, but not all Minnesota ILECs are MIC members. There are five ILECs who have yet to agree to a solution to the 900 problem with the RUD-OAG. Those companies are: Calloway Telephone Company, Chester Telephone Company, Barnesville Telephone Company, Mid-Communications, Inc. and Solon Springs Telephone Company.

Given the success of the RUD-OAG with all the other telephone companies, it appears likely that, given additional time, the RUD-OAG and these remaining companies can negotiate acceptable solutions. Therefore, the Commission will grant the RUD-OAG an additional 60 days from the date of this Order to conclude its negotiations with these companies.

### **ORDER**

1. The agreement on optional blocking of interstate information services entered into by the Residential Utilities Division of the Office of the Attorney General and Minnesota Independent Coalition (MIC) on behalf of its members is hereby approved **and shall hereafter be binding upon MIC's members.**
2. Within 60 days of the date of this Order, the Residential Utilities Division of the Office of the Attorney General shall submit a report on the status of its negotiations with the remaining independent local exchange companies.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster  
Executive Secretary

(S E A L)